IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2091 of 1983

For Approval and Signature:

Hon'ble MR.JUSTICE N.G.NANDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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MOHANBHAI BHUABHAI PATEL

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 2091 of 1983

MR DD VYAS for Petitioner No. 1-3

Mr.L.R.Pujari, Asst.GOVERNMENT PLEADER for Respondent No. 1-2

MR PK PAREKH for Respondent No. 3

CORAM : MR.JUSTICE N.G.NANDI

Date of decision: 13/07/2001

ORAL JUDGEMENT

It is stated by Mr.D.D.Vyas, Ld.advocate for the petitioner that depite his best efforts he is not able to get instructions from the petitioner as regards petitioner's desire to prosecute the petition further.

2. In this writ petition the petitioner has been challenging the order at annexure "J" to the petition whereby the Deputy Secretary, Home Department of respondent No.1 set aside the order dated 1.1.1983 passed by the Taluka Mamaltdar, Valod, Dist.Surat, i.e. the Licensing Authority granting No Objection Certificate for touring cinema in favour of the petitioner.

2. It is stated by Mr.D.D.Vyas that after passing of the impugned order at annexure "J" nothing is heard from the petitioner, and it is not known whether the petitioner is interested now in prosecuting this petition and looking to the time elapsed since passing of the impugned order at annexure "J" the petitioner may or may not be interested in pursuing the petition since much water has flown after passing of the impugned order.

3. The impugned order only rejected the No Objection Certificate for touring cinema. If the petitionjer is interested in getting the No Objection Certificate it would always be open to him to approach the appropriate authority for obtaining No Objection Certificate, and this order would not come in the way of the petitioner if he chooses to apply again for obtaining No Objection Certificate for touring cinema.

4. In view of the above, no order is necessitated in this writ petition and this writ petition is liable to be disposed of accordingly.

5. The petition is disposed of accordingly. Rule is discharged. No order as to costs.

13.7.2001 (N.G.NANDI,J)